



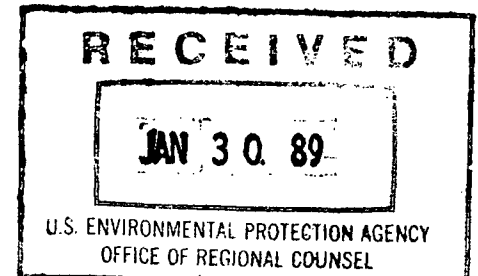
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

Superfund Records Center  
SITE: Yaworski  
BREAK: 11.9  
OTHER: 482 531

URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY  
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

January 27, 1989

Benjamin Rosenberg, President  
Ross & Roberts, Inc.  
1299 W Broad Street  
Stratford, CT 06497



Re: Yaworski Lagoon, Canterbury Township, Connecticut

SDMS DocID 482531

Dear Mr. Rosenberg:

NOTICE OF POTENTIAL LIABILITY

This letter is to notify you of potential liability which you may incur or may have incurred with respect to the above-referenced Site; to make a formal demand for reimbursement of the costs, including interest thereon, that have been incurred in response to the environmental problems at the Site; and to notify you of forthcoming cleanup response activities which you will be asked at a later date to perform or finance.

The United States Environmental Protection Agency (EPA) has documented the release and threatened release of hazardous substances, pollutants and contaminants at the Site. EPA has spent and is considering spending public funds on actions to investigate and control such releases or threatened releases at the Site. Unless EPA reaches an agreement under which a responsible party or parties will properly perform or finance such actions, EPA will perform these actions pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. §9601 et seq. (CERCLA).

Under Section 106(a) of CERCLA, Section 107(a) of CERCLA, 42 U.S.C. §§9606(a) and 9607(a), Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. §6973 (RCRA), and other laws, responsible parties may be obligated to implement relief actions deemed necessary by EPA to protect the public health, welfare or environment and may be liable for all costs incurred by the government in responding to any release or threatened release at the Site. Such costs may include, but are not limited to, expenditures for investigation, planning, response and enforcement activities.

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Responsible parties under CERCLA include current and former owners and operators of the Site, as well as persons who arranged for disposal of hazardous substances found at the Site, or persons who accepted hazardous substances for transport to the Site.

EPA has evaluated a large body of evidence in connection with its investigation of the Site. Based on this evidence, EPA has information, including information submitted by the site operator, indicating that you are a potentially responsible party with respect to this Site. Specifically, EPA has reason to believe that Ross & Roberts, Inc. by contract, agreement, or otherwise, arranged for the disposal, treatment, or transportation for disposal or treatment of hazardous substances found at the Site. By this letter, EPA notifies you of your potential liability with regard to this matter and encourages you, as a potentially responsible party, to reimburse EPA for the costs incurred to date and to voluntarily perform or finance the response activities described below that EPA has determined are required.

#### DEMAND FOR PAYMENT OF COSTS INCURRED TO DATE

In accordance with CERCLA and other authorities, EPA has already undertaken actions and incurred costs in response to conditions at the Site. These response actions include a remedial investigation and a feasibility study. The cost to date of the response actions performed through EPA funding is currently approximately \$1.9 million. The Agency anticipates expending additional funds for response activities under the authority of CERCLA and other laws, including those response activities described below. In accordance with Section 107(a)(4)(D) of CERCLA, demand is hereby made for payment of the above amount plus any and all interest authorized to be recovered under that Section or under any other provisions of law. Demand is also hereby made under these authorities for payment of interest on all future costs that EPA may accrue in regard to the Site.

#### FORTHCOMING RESPONSE ACTIVITIES AT THE SITE

EPA is planning to conduct the following activities:

1. Design and implementation of the remedial action selected and approved by EPA for the Site;
2. operation, maintenance and monitoring necessary at the Site.

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In addition to those response actions enumerated above, EPA may, pursuant to its authorities under CERCLA and other laws, decide that other cleanup activities are necessary to protect public health and the environment.

TIMING AND FORM OF RESPONSE TO THIS LETTER

As a potentially responsible party, you should notify EPA in writing within seven (7) days from receipt of this letter of your willingness to perform or finance the activities described above. If EPA does not receive a timely response, EPA will assume that you do not wish to negotiate a resolution of your liability in connection with the Site and that you have declined any involvement in performing the response activities.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary cleanup action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

Your response letter should be sent to:

U.S. Environmental Protection Agency  
John Gallagher  
Connecticut Superfund Section  
Waste Management Division  
JFK Federal Building, HEC-CAN6  
Boston, MA 02203  
Telephone: (617) 573-9633

If you have an attorney representing you in this matter, please direct his or her questions to Jeremy Firestone of the EPA Office of Regional Counsel at (617) 565-3334.

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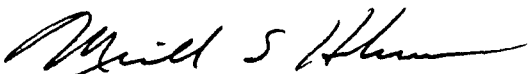
INFORMATION TO ASSIST RESPONSIBLE PARTIES

EPA would like to encourage good-faith negotiations between you and the Agency and among you and other potentially responsible parties. To assist responsible parties in preparing a proposal and in negotiating with EPA concerning this matter, EPA is providing a list of the names and addresses of potentially responsible parties to whom this notification is being provided. This list represents EPA's preliminary findings on the identities of potentially responsible parties. Inclusion on or exclusion from the list does not constitute a final determination by the Agency concerning the liability of any party for the hazard or contamination at the Site.

The factual and legal discussions in this letter are intended solely to provide notice and information, and such discussions are not to be construed as a final Agency position on any matter set forth herein. Due to the seriousness of the environmental and legal problems posed by conditions at the Site, EPA urges that immediate attention and a prompt response be given to this letter.

By copy of this letter, EPA is notifying the state of Connecticut and the Federal Natural Resource Trustees of our intent to perform or enter into negotiations for the performance or financing of response actions at the Site.

Sincerely,



Merrill S. Hohman, Director  
Waste Management Division

Attachments

cc: Michael Deland, Regional Administrator  
Thomas L. Adams Jr., Assistant Administrator, Office of  
Enforcement and Compliance Monitoring  
Jeremy Firestone, Office of Regional Counsel  
Bruce Marshall, Chief Superfund Enforcement Support Section  
John Gallagher, Project Manager  
Christine Atkinson, Connecticut DEP  
Ken Tedford, Connecticut DEP  
William Patterson, Department of the Interior  
Ken Finkelstein, NOAA

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YAWORSKI LAGOON SUPERFUND SITE  
LIST OF NOTICE LETTER RECIPIENTS

C&M Corporation  
51 South Walnut Street  
P.O. Box 348  
Wauregan, Connecticut 06702

InterRoyal Corporation  
Community Avenue  
Plainfield, Connecticut 06374

Kaman Aerospace Corporation  
South Main Street  
Moosup, Connecticut 06354

Pervel Industries, Inc.  
P.O. Box 61  
Plainfield, Connecticut 06374

Revere Textile Prints Corporation  
c/o Howard Glick  
General Textile Printing and Processing Corp.  
50 Maple Street  
Branford, Connecticut 06405

Rogers Corporation  
One Technology Drive  
Rogers, Connecticut 06263

Triangle, PWC, Inc.  
East Main Street  
Jewett City, Connecticut 06357

Yaworski, Inc.  
Rural Route 2, Packer Road  
Canterbury, Connecticut 06374

Mrs. Rose Yaworski  
c/o Yaworski, Inc.  
Rural Route 2, Packer Road  
Canterbury, Connecticut 06374

Benjamin Rosenberg, President  
Ross & Roberts, Inc.  
1299 W Broad Street  
Stratford, CT 06497

Ross & Roberts Holding Corporation  
c/o Benjamin Rosenberg  
1299 W Broad Street  
Stratford, CT 06497

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YAWORSKI LAGOON SUPERFUND SITE  
LIST OF NOTICE LETTER RECIPIENTS

Helen Glick  
71 Sherwood Lane  
Norwich, CT 06360

Howard Glick  
71 Sherwood Lane  
Norwich, CT 06360

Rose Oelbaum  
502 Park Avenue  
New York, NY 10022

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